

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: June 7, 2006

CALLED TO ORDER: 5:30 p.m.

ADJOURNED: 7:00 p.m.

### ATTENDANCE

#### Attending Members

Mary Moriarty Adams, Chair  
Greg Bowes  
Vernon Brown  
Sherron Franklin  
William Oliver  
Lincoln Plowman

#### Absent Members

Lynn McWhirter  
Scott Schneider

### AGENDA

PROPOSAL NO. 327, 2006 - appoints Jane Hart-Ajabu, as a lay person, to the Marion County Community Corrections Advisory Board

"Do Pass"

Vote: 6-0

PROPOSAL NO. 328, 2006 - approves an appropriation of \$8,246,200 in the 2006 Budget of the Police and Fire Divisions of the Department of Public Safety (Consolidated County Fund), the Marion County Coroner (County General Fund), Marion County Superior Court (County General Fund) and the Marion County Sheriff (County General Fund) to fund the public safety and criminal justice needs identified by the Criminal Justice Planning Council, to provide for the transfer of the Arrestee Processing Center from IPD to the Sheriff's Department effective July 1, 2006, and to fund the projected shortage of the Sheriff's fuel budget

"Do Pass"

Vote: 6-0

PROPOSAL NO. 329, 2006 - approves a transfer of \$50,000 in the 2006 Budget of the Marion County Superior Court (County General Fund) to pay for supplies for the Juvenile Detention Center

"Do Pass"

Vote: 6-0

PROPOSAL NO. 330, 2006 - approves an increase of \$46,000 in the 2006 Budget of the Marion County Superior Court (State and Federal Grants Fund) to appropriate three grants from the Indiana Criminal Justice Institute, the Indiana Supreme Court and the Indianapolis Bar Foundation to fund representation for children in at-risk families, interpreter services, and the development of an instructional video production for use in family law pro se cases

“Do Pass”

Vote: 6-0

PROPOSAL NO. 331, 2006 - approves an increase of \$550,000 in the 2006 Budget of the Department of Public Safety, Director's Office (Non-Lapsing Federal Grants Fund) to "harden" potential targets of terrorism, including dams at Eagle Creek and Morse Reservoir and facilities at the Eli Lilly Corporation, financed by a grant from the U.S. Department of Homeland Security

“Do Pass as Amended”

Vote: 6-0

PROPOSAL NO. 332, 2006 - approves an increase of \$6,000,000 in the 2006 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund) to replace 2,000 hand held radios as part of the metropolitan Emergency Communications Agency's (MECA) plan to upgrade to a new digital radio system, financed by a grant from the U.S. Department of Justice

“Do Pass”

Vote: 6-0

PROPOSAL NO. 333, 2006 - appropriates \$139,263 in the 2006 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to implement the 2nd year of a "Forensic Diversion: Alternatives to Incarceration" program, funded by a grant from the Indiana Criminal Justice Institute

“Do Pass”

Vote: 6-0

PROPOSAL NO. 334, 2006 - approves an appropriation totaling \$3,457,730 in the 2006 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to appropriate state funds for the fiscal year 2006/2007, funded by a grant from the Indiana Department of Corrections

“Do Pass”

Vote: 5-0

PROPOSAL NO. 335, 2006 - approves an appropriation totaling \$94,434 in the 2006 Budget of Marion County Community Corrections (State and Federal Grants Fund) for a substance abuse treatment program to be provided to offenders located in the Community Corrections Center and the Marion County Jail, financed by a grant from the Indiana Criminal Justice Institute

“Do Pass as Amended”

Vote: 5-0

PROPOSAL NO. 336, 2006 - approves a transfer and increase totaling \$35,970 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to continue funding of staff for the Joint Regional Gang Interdiction Program funded by a grant from the Indiana Criminal Justice Institute to purchase "ice light" flashlights for local law enforcement working at sobriety and seat belt checkpoints, funded by a grant from the Governor's Council on Impaired and Dangerous Driving, and for the purchase of laboratory testing supplies for fingerprint examiners, funded by a transfer between characters of a Project Sentry federal grant

"Do Pass"

Vote: 5-0

PROPOSAL NO. 337, 2006 - approves an increase of \$260,000 in the 2006 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to provide training, equipment and contract services aimed at improving the efficiency of the forensic DNA casework lab, financed by a grant from the U.S. Department of Justice

"Do Pass"

Vote: 5-0

PROPOSAL NO. 338, 2006 - approves a transfer of \$125,000 in the 2006 Budget of the Marion County Public Defender Agency (County General Fund) to allow the agency to hire four (4) full time attorneys to work on cases involving termination of parental rights (TPR) and children in need of services (CHINS)

"Postpone" until June 21, 2006

Vote: 6-0

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, June 7, 2006. Chair Mary Moriarty Adams called the meeting to order at 5:30 p.m., with the following members present: Greg Bowes, Vernon Brown, Sherron Franklin, William Oliver, and Lincoln Plowman. Absent were Lynn McWhirter and Scott Schneider.

Chair Moriarty Adams asked for consent to move Proposal No. 338, 2006 to the front of the agenda. Consent was given.

PROPOSAL NO. 338, 2006 - approves a transfer of \$125,000 in the 2006 Budget of the Marion County Public Defender Agency (County General Fund) to allow the agency to hire four (4) full time attorneys to work on cases involving termination of parental rights (TPR) and children in need of services (CHINS)

David Cook, Public Defender, asked that this proposal be postponed. The initial plan was to move some of the cases to full-time lawyers. He said nine existing contracts would need to be dissolved to fund four full-time positions, and it is his belief that he could take the 459 existing cases and reassign them to the new full-time lawyers and remaining contracts. However, some lawyers are declining to take new case assignments, due to case over load. He said this proposal will leave 459 defendants without lawyers; therefore, it needs to be re-visited.

Councillor Bowes moved, seconded by Councillor Brown, to "Postpone" Proposal No. 338, 2006 until June 21, 2006. The motion carried by a vote of 6-0.

PROPOSAL NO. 327, 2006 - appoints Jane Hart-Ajabu, as a lay person, to the Marion County Community Corrections Advisory Board

Ms. Ajabu said she is currently employed with Indianapolis Public Schools and has been an educator for 35 years. She said she is passionate about young people and feels this is a good opportunity to share her passion. Ms. Ajabu said she believes the advisory board can get involved and provide resources and support systems to those less violent offenders. She said she can be very helpful in providing information to the board because of her background in education.

Councillor Oliver moved, seconded by Councillor Franklin, to send Proposal No. 327, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 328, 2006 - approves an appropriation of \$8,246,200 in the 2006 Budget of the Police and Fire Divisions of the Department of Public Safety (Consolidated County Fund), the Marion County Coroner (County General Fund), Marion County Superior Court (County General Fund) and the Marion County Sheriff (County General

Fund) to fund the public safety and criminal justice needs identified by the Criminal Justice Planning Council, to provide for the transfer of the Arrestee Processing Center from IPD to the Sheriff's Department effective July 1, 2006, and to fund the projected shortage of the Sheriff's fuel budget

Robert Clifford, City Controller, said a budget was passed by the Council that did not include replacing 78 officers from the Indianapolis Police Department (IPD). He said after the budget was passed a vote to support consolidation was made by the Council. Mr. Clifford said in December a sub-committee was created to evaluate a funding proposal, procedure measures, and the cost of having the 78 officers put back into the budget. He said the result of those meetings can be found in the Sources and Uses Statement (Exhibit A, attached). Mr. Clifford said this proposal is asking for the following:

- a) Provide funding for 48 patrol officers that were scheduled to be laid off
- b) Replace 78 patrol officers over the next two years
- c) Restore the Indianapolis Fire Department (IFD) back to its original strength of 751 firefighters, and
- d) fund 100 additional jail beds in 2006.

He said the total cost for 2006 is \$8.8 million. Some savings have been identified through consolidation of IPD and the Marion County Sheriff's Department (MCSD), and fee increases have been identified for a net shortfall of \$6.5 million for 2006. Mr. Clifford said there are a couple of things that are different in this proposal from the Criminal Justice Planning Council proposal, such as the shifting of the Arrestee Processing Center from IPD to MCSD effective July 1, 2006 and the MCSD will be short on fuel this year.

Chair Moriarty Adams asked where the shortfall in the Sheriff's fuel will be found. Kim Diller, Office of Finance and Management, said the shortfall of \$1.3 million will be found in Character 2 in the Sheriff's budget.

Councillor Brown asked if the 100 additional jail beds have already been implemented. Mr. Clifford said the MCSD is still negotiating the contract. He said these beds will be outsourced to Liberty Hall. Mr. Clifford explained that the Sheriff's plan is to take 100 women out of the Marion County lock-up and move them over to Liberty Hall, which costs less than Jail II.

Councillor Brown asked if the \$1.3 million for fuel is based on current fuel prices. Major Ronald Chappell, MCSD, replied in the affirmative. Councillor Brown asked what happens if the actual fuel cost is over the projected amount. Ms. Diller said they try to estimate based on their projections today, whereas the 2006 budget was built on the projection made in August 2005. She said the appropriation is a combination of paying past fuel bills and the increase in fuel prices. Councillor Brown asked if the MCSD has implemented any fuel-savings procedures. Major Chappell said the Sheriff asked that

officers drive their own cars to part-time jobs rather than patrol cars. Mr. Clifford said some reductions in consumption were found in 2005, but no additional reductions have been found.

Councillor Oliver asked if there is a tracking system for on-duty and off-duty use of patrol cars. Mr. Clifford said MCSO does monitor the purchase of gas everyday by officers. Major Chappell said there is some discussion of possibly offsetting the cost to deputies.

Councillor Oliver moved, seconded by Councillor Franklin, to send Proposal No. 328, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 329, 2006 - approves a transfer of \$50,000 in the 2006 Budget of the Marion County Superior Court (County General Fund) to pay for supplies for the Juvenile Detention Center

Sue Patterson, Court Services Agency, said the Juvenile Detention Center goes through a lot of supplies. She said last year during the budget they did not realize the center was low on bedding and clothing supplies. Ms. Patterson said they are looking to collaborate with the Guardian Center in ordering supplies.

Councillor Bowes moved, seconded by Councillor Brown to send Proposal No. 329, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 330, 2006 - approves an increase of \$46,000 in the 2006 Budget of the Marion County Superior Court (State and Federal Grants Fund) to appropriate three grants from the Indiana Criminal Justice Institute, the Indiana Supreme Court and the Indianapolis Bar Foundation to fund representation for children in at-risk families, interpreter services, and the development of an instructional video production for use in family law pro se cases

Ms. Patterson said this proposal is to appropriate \$46,000 in grant funding, and there is no matching requirement on this grant. She said one part of this appropriation is for a 12-month grant for salaries for the Guardian Ad Litem services, which provide assistance at the Juvenile Court. Ms. Patterson said \$11,000 is part of the appropriation and was received from the Indiana State Supreme Court to fund interpreters. She said the other part of this proposal is a \$10,000 grant from the Indianapolis Bar Foundation to allow a video to be made for pro se cases.

Councillor Bowes asked for clarification on the definition of pro se cases. Ms. Patterson explained that this is when a person chooses to represent themselves without a lawyer.

Councillor Bowes moved, seconded by Councillor Oliver, to send Proposal No. 330, 2006 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 331, 2006 - approves an increase of \$550,000 in the 2006 Budget of the Department of Public Safety, Director's Office (Non-Lapsing Federal Grants Fund) to "harden" potential targets of terrorism, including dams at Eagle Creek and Morse Reservoir and facilities at the Eli Lilly Corporation, financed by a grant from the U.S. Department of Homeland Security

Jeff Seidenstein, Deputy Controller, said there is an amendment to Proposal No. 331, 2006 (Exhibit B, attached) to move some of the money from Character 3 to Character 4, specifically for the project in Eagle Creek.

Councillor Bowes moved, seconded by Councillor Brown, to “Amend” Proposal No. 331, 2006 per Exhibit B. The motion carried by a vote of 6-0.

Councillor Franklin asked when the grant expires. Elizabeth Allison, Grant Manager, said the grant expires October 30, 2006.

Ms. Allison said with this grant the department now has the ability to “harden” some targets inside Marion County. She said \$300,000 of the requested increase is to be used for target hardening for the Eagle Creek Reservoir dam, to build a barricade in front of the gates that secure the dam. She said \$200,000 will be contracted over to Eli Lilly to build an under vehicle surveillance device to allow trucks that come into the city to be checked. Ms. Allison said this is a partnership with Lilly, in which they will maintain and repair all the equipment. She said \$50,000 of the requested increase will be used for monitoring surveillance at the Geist Reservoir, for a total of \$550,000. Ms. Allison said the Department of Public Safety will be the fiscal agent for the whole project.

Councillor Oliver asked who owns the vehicle surveillance device. Ms. Allison said the department purchases the equipment through federal grant funds and then contracts it through Lilly. In return they have to maintain the equipment and the department can ask to see the equipment at any time.

Councillor Franklin asked who will actually be monitoring the project due to the absence of a department head. Ms. Allison said she will be managing all the grants for public safety.

Councillor Brown asked for clarification on the meaning of hardening targets. Roger Coffin, representative of the Department of Homeland Security, said the target is hardened by making it less susceptible as a target. Councillor Brown asked how long it would take for items to be scanned. Mr. Coffin said it is a flat bed scanner that should only take a few minutes.

Councillor Bowes asked if the surveillance device is mobile. Mr. Coffin said at this time it can only be used at Lilly.

Chair Moriarty Adams asked if there is something in place that will prevent trucks from driving off if they do not pass the surveillance. Mr. Coffin said he has not seen the facility, but is sure they have something in place.

Councillor Franklin moved, seconded by Councillor Oliver to send Proposal No. 321, 2006 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 332, 2006 - approves an increase of \$6,000,000 in the 2006 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund) to replace 2,000 hand held radios as part of the Metropolitan Emergency Communications Agency's (MECA) plan to upgrade to a new digital radio system, financed by a grant from the U.S. Department of Justice

Ms. Allison said IPD will be purchasing 2,000 radios, which will cover the new police department as well as the Sheriff's needs. She said the radios are part of MECA's upgrades with a \$2 million match pledged by the unanticipated notes.

Councillor Bowes asked what has already been appropriated in terms of the communication system. Mr. Clifford said this is the first step in getting radios replaced, and the next step will be the digital communication aspect and the emergency system. He said the total cost is projected at \$40 million. Mr. Seidenstein said the Council approved the bond anticipation notes of \$10 million to help fund the project. He said this is the first expenditure for the project.

Chair Moriarty Adams asked if the existing radios have a trade-in value. Ms. Allison said that some of the existing radios will be used in other agencies on the MECA system.

Councillor Bowes moved, seconded by Councillor Oliver, to send Proposal No. 332, 2006 to the full Council with a "Do Pass" recommendation. The motion carried with a vote of 6-0.

PROPOSAL NO. 333, 2006 - appropriates \$139,263 in the 2006 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to implement the 2nd year of a "Forensic Diversion: Alternatives to Incarceration" program, funded by a grant from the Indiana Criminal Justice Institute

Judy Spray, Sentencing Director, discussed the Criminal Justice Institute grant (Exhibit C, attached) and said the Public Defender Agency represents yearly over 30,000 adults and 6,000 juveniles charged with criminal offenses in Marion County. She said between 70 and 90% of adult clients are addicted to drugs or alcohol, and between 10 and 30% have serious mental illness. She said without training or treatment, the accused continue



to offend. Ms. Spray said the cost to jail a client in the Marion County Jail is \$40 or more per day. She said the Public Defender Agency has created programs to target specific areas of need. The four programs are:

- 1) Substance Abuse Screen/Referral Program; contract with Drug-Free of Marion County,
- 2) Intra-Family Violence Diversion Program; contract by Catholic Social Service,
- 3) Contractual Sentencing Consultant Program; person to write sentencing memorandum for \$18 an hour, and
- 4) Mental Health Services; contract with Midtown Mental Health Center.

Ms. Spray said the total cost of this grant is \$185,684, with a local match of \$46,421. The match is comprised of four different components, and no new funds need to be appropriated.

Councillor Oliver asked about the cost of alternative programs to the user. Ms. Spray said the programs in this grant have no charge to the client. Mr. Cook said there is a concern regarding excessive fees to the client, and this is something they are researching. Councillor Oliver asked if someone is put in contempt if they are unable to pay. Brian Barton, Community Corrections Agency Director, said they do not violate on fees.

Councillor Brown asked how many people participate in these programs. Ms. Spray said the number of people screened last year was over 100; 19 people participated in the Family Violence Program; 23 participated in the Sentencing Consultant Program; and over 200 people a month are in contact with the Mental Health coordinator.

Councillor Bowes moved, seconded by Councillor Brown, to send Proposal No. 333, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

[Clerk's note: Councillor Plowman left at 6:45 p.m.]

PROPOSAL NO. 334, 2006 - approves an appropriation totaling \$3,457,730 in the 2006 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to appropriate state funds for the fiscal year 2006/2007, funded by a grant from the Indiana Department of Corrections

Mr. Barton explained the Adult State Grant (Exhibit D, attached) and said the Department of Correction (DOC) grant for this year will begin July 1, 2006. He said he wanted to show a comparison between 2005/2006 and the upcoming grant. He said the amendment shown in Exhibit D will be forthcoming, and in 2005/2006 they actually received \$342, 342 from the DOC for the work release center. He said because the work release center is not open, they had to move that money around and it will be

reappropriated later this year. He said overall the DOC grant has increased for the Community Transition Program and operating expenses.

PROPOSAL NO. 335, 2006 - approves an appropriation totaling \$94,434 in the 2006 Budget of Marion County Community Corrections (State and Federal Grants Fund) for a substance abuse treatment program to be provided to offenders located in the Community Corrections Center and the Marion County Jail, financed by a grant from the Indiana Criminal Justice Institute

Councillor Bowes moved, seconded by Councillor Brown to “Amend” Proposal No. 335, 2006 to read \$90,434 instead of \$94,434 in the digest. The motion carried by a vote of 5-0.

Mr. Barton said this is the fifth year of funding for the substance abuse program in the Community Corrections Center for the males and females in the Marion County Jail. He said these are felons that are kept here locally who have been identified as having a drug or alcohol problem. He said the department has contracted with Fairbanks Hospital to provide treatment for those individuals who go on to work release or home detention.

Councillor Bowes asked how many people are served with this grant. Mr. Barton said about 300 people are helped. Councillor Bowes asked how many are served in a year. Mr. Barton said Community Corrections assisted about 3,300 people last year. Councillor Bowes asked what the total dollar amount is spent in a year. Mr. Barton said he is unsure because a lot of the money is contracted out.

Councillor Bowes moved, seconded by Councillor Oliver, to send Proposal No. 334, 2006 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 5-0.

Councillor Bowes moved, seconded by Councillor Oliver, to send Proposal No. 335, 2006 to the full Council with a “Do Pass as Amended” recommendation. The motion carried by a vote of 5-0.

PROPOSAL NO. 336, 2006 - approves a transfer and increase totaling \$35,970 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to continue funding of staff for the Joint Regional Gang Interdiction Program funded by a grant from the Indiana Criminal Justice Institute to purchase "ice light" flashlights for local law enforcement working at sobriety and seat belt checkpoints, funded by a grant from the Governor's Council on Impaired and Dangerous Driving, and for the purchase of laboratory testing supplies for fingerprint examiners, funded by a transfer between characters of a Project Sentry federal grant

Lisa Borges, Prosecutor’s Office, said this proposal does three different things:

- 1) Appropriates \$25,650 into their budget that will continue funding the Deputy

- Prosecutor and part-time investigator for the Interdiction Program,
- 2) Provides Marion County traffic safety partnership with an equipment grant of \$1,820, and
  - 3) Transfers a previous grant of \$5,500 from Character 3 to Character 2 in order to cover laboratory testing supplies.

Councillor Brown moved, seconded by Councillor Bowes, to send Proposal No. 336, 2006 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 5-0.

PROPOSAL NO. 337, 2006 - approves an increase of \$260,000 in the 2006 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to provide training, equipment and contract services aimed at improving the efficiency of the forensic DNA casework lab, financed by a grant from the U.S. Department of Justice

Mike Medler, Laboratory Director, said this money will be used for training and the purchase and maintenance of equipment. He distributed a breakdown of the costs found in Exhibit E, attached.

Councillor Franklin moved, seconded by Councillor Oliver, to send Proposal No. 337, 2006 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 5-0.

### CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 7:00 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chair  
Public Safety and Criminal Justice Committee

MMA/as